

Decision Notice
&
Finding of No Significant Impact
Mississippi River State Park Environmental Assessment Amendment
USDA Forest Service
St. Francis Ranger District, Ozark-St. Francis National Forests
Lee County, Arkansas

Decision and Reasons for the Decision

Background

The Ozark-St. Francis National Forest (OSFNFs) and the Arkansas Department of Parks and Tourism have entered into an Agreement (Special Use Permit, dated 10/25/04) to develop State Park facilities on approximately 536 acres of the St. Francis National Forest. The proposed project area concerned in this Amended EA is located within the St. Francis National Forest in eastern Lee County, Arkansas; approximately two miles southeast of Marianna, Arkansas, adjacent to the area known as the "Ranger Station" area (see Map I-1, Vicinity Map).

The Arkansas State Parks (ASP), Recreation and Travel Commission, and the OSFNFs recognize the need to provide a state park on the Mississippi River for tourism, recreation, and economic reasons (see Environmental Assessment, May, 2001, p. I-2). Development of the Visitor Center (VC) for the Mississippi River State Park (MRSP) has been proposed at the current Ranger Station Area (see Map I-2, Ranger Station Area – permitted approx. 16 ac.).

ASP and the design professional, Cromwell, Architect-Engineers of Little Rock, Arkansas, have studied the permitted site originally planned for the construction of the facilities at the Ranger Station (Ranger Station = 16 acres).

The permitted area is inadequate based upon the following factors:

- The topography at the original permit area and the existing facilities allow for limited access (one way in and out) for all of the development in this area. This would mean that there would be traffic to and from the VC, the Maintenance Area, the Day-Use Area, and the residences (3) all using the same entrance/exit road for access. In addition to the high traffic on this entrance/access road there would also be some possible conflict between the park entrance/access road, Highway 44, and County Road /FS Road 1901 all intersecting within approximately 300 feet. Finally, the park entrance/access road has a somewhat restricted sightline along Highway 44 for traffic coming from the north going toward the entrance/access road. Expanding the original permit area will allow the entrance/access road to be relocated to an area allowing for greater sightline along Highway 44. This would allow another access road to be constructed for non-public use (maintenance & residence areas).
- The original permitted area made no allowance for the construction of a Waste Water Treatment System (WWTS). This WWTS will be necessary to support the facilities (VC, Maintenance Area, one remodeled and two (2) new residences, and the remodeled Ranger Station, in addition to any possible day-use restroom facilities) proposed for development in this area. Additional land lying below the current earthen dam which creates the pond to the south of the ranger station will need to be included in the Permit Area in order to construct this WWTS.

- The original permit area was intended as a site for the construction of an approximately 10,000 – 15,000 square foot (SF) VC. This VC would provide information and assistance to visitors to both Mississippi River State Park and the St. Francis National Forest in addition to housing the administrative functions for the two agencies. Given the size of the proposed VC, there is concern that the current proposed site lying within the original Use Permit area will not be suitable for the construction of the VC in addition to the proposed facilities development. These concerns are primarily centered on proper site development. The amount of land (physical space) available for all of the planned development on this site will severely limit how large the facilities can be designed and where they can be placed. This pertains to not only the facilities but also space that will need to be allocated for visitor and employee parking and other infrastructure (utilities, access, etc.). There are also concerns that by limiting the construction of the VC to the originally proposed site, which would be less than ideal topographically, it would drive up the cost of the construction of the VC; have less visibility and view shed; and, therefore, be less desirable. Expanding the original permit area will allow the VC to be constructed in a much more visible site and with a good view shed for the visitor to enjoy the beauty of Crowley's Ridge and its fauna and flora. Additionally, this proposed site would provide the VC and the area with good access, less site development crowding, less costly construction, and proper overall site development allowing room for both the buildings, the necessary infrastructure (parking, utilities, access etc.) and day-use opportunities.

Purpose and Need for Action

The purpose of this initiative is to expand the use area to provide for increased public safety and design criteria not evaluated in the previous EA. This action is needed, because based upon this site study and the program plans for the facilities planned, we have determined that there is insufficient space to house all of the planned facilities and their supporting infrastructure. This action responds to the goals and objectives outlined in the Revised Land and Resource Management Plan (RLRMP), and helps move the project area toward desired conditions described in that plan (Ozark-St. Francis National Forests RLRMP, Page 2-48 through 2-50). The Forest Plan establishes a Management Area (MA) entitled 2.B *State Parks* and sets the Emphasis or Theme, the Desired Future Condition, Priorities and Objectives for management of these areas. This MA refers to Devils Den, Mt. Magazine and the Mississippi River State Parks. The MRSP is currently under design by Arkansas State Parks and Tourism contract and is the subject of this EA amendment.

Decision

Based upon my review of all alternatives, I have decided to implement the proposed action alternative which involved the following actions:

Ranger Station Area:

- A. Actions proposed in the Revised EA: Area to be developed/permitted = 35 acres - The facilities/activities planned for the Ranger Station Area include the following:
 1. Visitor Center (approx. 10,000 SF + 15,000 SF for access, parking and all utilities) to provide guest services and information as well as an administrative service area for both ASP and the USFS staffs.
 2. Residences – all to house ASP staff
 - a. Remodeling of the current employee residence (approx. 1,600 SF)
 - b. Construction of two (2) new employee residences (approx 1,800 SF ea.)
 3. Maintenance Area – to house both USFS and ASP maintenance staffs and equipment.
 - a. Current USFS maintenance building (approx. 1,500 SF) and open/closed bay (3 + 1) equipment shed (approx. 2,000 SF), and flammables storage building (approx. 225 SF)

- b. Construction of a new maintenance building (approx. 2,000 SF), open/closed bay equipment storage building (approx. 3,000 SF), and a fuel dispensing area (approx. 450 SF)
 - c. Construction of an equipment yard (approx. 3,000 SF + 2,000 SF for drive) for vehicle/equipment temporary parking etc.).
4. Trails/Site Furnishings –
- a. Construction of a new approximately half-mile barrier-free accessible walking trail (approx. 6' x 2640' = 15,840 SF)
 - b. Renovation of the existing day-use area (approx. 5 picnic sites etc. = approx. 500 SF).
5. Ranger Station – (approx. 1,200 SF) remodeling of current Ranger Station for storage and to house temporary FS staff assigned to the St. Francis National Forest.
6. Wastewater Treatment System (approx. 40,000 – 50,000 SF), built to handle all of the effluent from all of these existing and proposed facilities.

When compared to the other alternatives this alternative will best meet the purpose and need of the project by providing adequate space for the public to safely enjoy the visitor information center and the other amenities planned by this project: a safer facility for the public by providing a work center for the state park and forest service employees which is more adequately separated from the areas the public will be utilizing; and a waste water treatment facility which will more adequately serve the public and not overwhelm the city of Marianna's treatment services.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative. A comparison of these alternatives can be found in the EA on pages [6-11].

Alternative 1

No Action

Under the No Action Alternative, current management plans and the original EA would continue to guide management of the project area. Specific items to be developed at this site are outlined by Alternative 2 of the original EA and are listed below.

- A. Area to be developed/permitted = 16 acres - Facilities planned for this area under the current EA include:
- 1. Visitor Center (approx. 10,000 SF - 15,000 SF for access, parking & all utilities) to provide guest services and information, and administrative service area for both ASP and the USFS staffs.
 - 2. Residences – all to house ASP staff
 - a. Remodeling of the current employee residence (approx. 1,600 SF)
 - b. Construction of two (2) new employee residences (approx 1,800 SF ea.)
 - 3. Maintenance Area – to house both USFS and ASP maintenance staffs and equipment.
 - a. Current USFS maintenance building (approx. 1,500 SF) and open/closed bay (3 + 1) equipment shed (approx. 2,000 SF), and flammables storage building (approx. 225 SF)
 - b. Construction of a new maintenance building (approx. 2,000 SF), open/closed bay equipment storage building (approx. 3,000 SF), and a fuel dispensing area (approx. 450 SF)
 - c. An equipment yard (approx. 3,000 SF + 2,000 SF for drive) for vehicle/equipment temporary parking etc.).

4. Site Furnishings/Trails –
 - a. Construction of a new approximately half-mile barrier-free accessible walking trail (approx. 6' x 2640' = 15,840 SF)
 - b. Renovation of the existing day-use area (approx. 5 picnic sites etc. = approx. 500 SF).
5. Ranger Station – (approx. 1,200 SF) remodeling of current Ranger Station for storage and to house temporary FS staff assigned to the St. Francis National Forest.

This alternative would require no additional acreage or any change to the RLRMP.

Alternative 2

Proposed Action

Ranger Station Area:

- A. Actions proposed in the Revised EA: Area to be developed/permitted = 35 acres - The facilities/activities planned for the Ranger Station Area include the following:
 3. Visitor Center (**approx. 10,000 SF + 15,000 SF** for access, parking and all utilities) to provide guest services and information as well as an administrative service area for both ASP and the USFS staffs.
 4. Residences – all to house ASP staff
 - c. Remodeling of the current employee residence (approx. 1,600 SF)
 - d. Construction of two (2) new employee residences (approx 1,800 SF ea.)
 3. Maintenance Area – to house both USFS and ASP maintenance staffs and equipment.
 - a. Current USFS maintenance building (approx. 1,500 SF) and open/closed bay (3 + 1) equipment shed (approx. 2,000 SF), and flammables storage building (approx. 225 SF)
 - b. Construction of a new maintenance building (approx. 2,000 SF), open/closed bay equipment storage building (approx. 3,000 SF), and a fuel dispensing area (approx. 450 SF)
 - c. Construction of an equipment yard (approx. 3,000 SF + 2,000 SF for drive for vehicle/equipment temporary parking etc.).
 4. Trails/Site Furnishings –
 - a. Construction of a new approximately half-mile barrier-free accessible walking trail (approx. 6' x 2640' = 15,840 SF)
 - b. Renovation of the existing day-use area (approx. 5 picnic sites etc. = approx. 500 SF).
 5. Ranger Station – (approx. 1,200 SF) remodeling of current Ranger Station for storage and to house temporary FS staff assigned to the St. Francis National Forest.
 6. Wastewater Treatment System (approx. 40,000 – 50,000 SF), built to handle all of the effluent from all of these existing and proposed facilities.

Public Involvement

To comply with the requirements of NEPA, to help the interdisciplinary team identify pertinent issues and management concerns and to determine public opinion on this project, public involvement was sought.

The proposal was listed in the Schedule of Proposed Actions on October, 2007. The proposal was provided to the public and other agencies for initial comments through a scoping letter dated November 26, 2007. A Scoping Session was conducted to solicit additional public comments on December 12, 2007 at the Lunmann Cotton Research Station south of Marianna, Arkansas from 5:00 pm until 8:00 pm. Using the comments received in response to the scoping letter, the scoping session and the Draft EA comment

period, as well as from other agencies, and tribes, the interdisciplinary team developed a list of issues to address. The project planning record contains documentation of the notices that were sent.

The Draft EA was released for public review and comment with a legal notice in the Arkansas Courier on June 6, 2008. The 30 day comment period closed on July 6th. No comments on the Proposed Action were received during or within the week following the 30 day comment period.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. There will be no significant effects on public health and safety. The project design incorporates elements designed to reduce the potential risks associated with proposed activities and the effects analysis shows the risks to human safety are not significant. (see EA pages 15-34).
3. This project will not significantly affect any unique characteristics of the geographic area such as historic or cultural resources, wetlands, floodplains, or ecologically critical areas. (see EA pages 15-34).
4. The effects on the quality of the human environment are not likely to be highly controversial. Because there is no known scientific controversy over the impacts of the project (see EA pages 32-34).
5. We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA pages 15-34).
6. The action in this decision will not establish a precedent for future actions with significant effects, and it does not represent a decision in principle about a future consideration. (see EA pages 15-35).
7. The cumulative impacts are not significant (see EA pages 15-35).
8. The selected alternative has been designed so that all known cultural and heritage resource sites that may be eligible for the National Register of Historic Places, or are of undetermined eligibility, lie outside any of the project's areas of planned tree removal or other ground disturbing activity. Should any additional sites be found during project implementation, work will stop in the area of discovery and the appropriate authorities will be notified. These actions, therefore, will not affect any sites listed in, eligible for listing in or potentially eligible for listing in the National Register of Historic Places nor will they cause loss or destruction of significant scientific, cultural or historic resources within or outside of the project area. (see EA pages 32-33).
9. No federally listed species or species proposed for federal listing are known within the project area. No critical habitat as defined by the Endangered Species Act and no proposed critical habitat for any federally listed species has been identified on the St. Francis National Forest. There are no threatened or endangered species which this project is likely to adversely affect. For

Forest Service Regional Forester's (Region 8) sensitive species found in or near the potentially affected areas, the activities of this project may impact but are not likely to cause a trend to federal listing or a loss of viability to two sensitive plant species. The activities of this project will have no impact on the remaining Regional Forester's listed sensitive species known to occur or with potential to occur on the St. Francis National Forest. (See EA pages 21-32).

10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA pages 15-35). The action is consistent with the Revised Ozark-St. Francis Land and Resource Management Plan (See EA pages 34-35).

Findings Required by Other Laws and Regulations

This decision to implement the proposed action alternative is consistent with the intent of the forest plan's long term goals and objectives listed on pages 2-18; 2-48 through 2-50; 2-76 through 2-78; and 3-1 through 3-38. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for the State Parks Management Area (2.B State Parks, Page 2-48, RLRMP).

However, since this project requires a change in land allocation to Management Areas defined by the forest plan an amendment to the RLRMP is required. Amending the Forest Plan through this project meets the criteria established in the Record of Decision for the Revision of the Forest Plan. It states several factors which might trigger the need for a change to the plan, one of which is, "Determinations by the Forest supervisor that existing or proposed projects, permits, contracts, cooperating agreements, or other instruments authorizing occupancy and use are appropriate, but not consistent with elements of the Plan's management direction." (ROD, pg. 19, 2005).

This amendment is not a significant amendment of the RLRMP for the Ozark-St. Francis National Forests. The determination that this is a non-significant amendment is made in accordance with the regulations in 36 CFR 219.10(f) (1982), and the Forest Service Manual 1926.5. This plan amendment meets the criteria for a non-significant amendment (FSM 1926.51) because these changes: (1) will not significantly alter the multiple-use goals and objectives for long-term land and resource management; (2) will not cause adjustments to management area boundaries or management prescriptions that will cause significant changes in the multiple-use goals and objectives for long-term land and resource management; (3) does not make changes to standards and guidelines; and (4) will provide opportunities for additional projects and activities that will contribute to the achievement of the management prescription(s).

It is my decision that this project meets the above criteria and the following amendment to the forest plan is not significant and continues to meet the overall goals and objects of the Revised Land and Resource Management Plan of the Ozark-St. Francis National Forests. Amendment #1 changes the acreage listed for the State Parks Management Area (2.B) will be increased 19 acres to 3825 acres total and the Pastures and Large Wildlife Openings Management Area (3.J) will be reduced 19 acres to 7,053 acres total. (See attachment 1 for listing of the specific changes to the Forest Plan).

Administrative Review or Appeal Opportunities

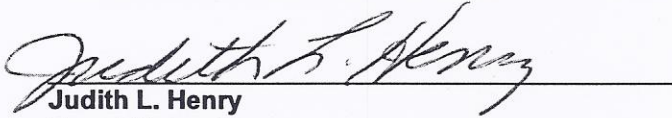
This decision was subject to administrative review (appeal) pursuant to 36 CFR Part 215. The draft Environmental Assessment was released for public review and comment with a legal notice in the Arkansas Courier on June 6, 2008. The 30 day comment period closed on July 6th. No comments on the Proposed Action were received during or within the week following the 30 day comment period, therefore the project is not subject to administrative review.

Implementation Date

Since there is not appeal period the project may begin 5 business days from the publication of the Decision Notice.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Gary Knudsen, Public Services/Planning Staff Officer at the Ozark-St. Francis National Forests, 605 W. Main, Russellville, AR 72801, or 479 964-7234.



Judith L. Henry
Forest Supervisor
Ozark-St. Francis National Forests

7-23-08
Date

**Ozark-St. Francis National Forests
Revised Land and Resource Management Plan**

**Amendment # 1
July 2008**

Amendment #1 amends the Ozark-St. Francis National Forests' Revised Land and Resource Management Plan to reflect the change in land allocation between Management Areas State Parks 2.B and Pasture and Large Openings 3.J to accommodate the development of the Mississippi River State Park under a special use permit. This amendment reflects the addition of 19 acres to the state's permit area in the Ranger Station development area on the St. Francis Ranger District near Marianna, Arkansas.

The plan is amended as follows:

Part 2 – Strategy:

Page 2-31, Table 2-5: Oil and Gas Leasing Consent Decisions by Management Area
Change the 2.B State Park the 3.J Pastures and Large Wildlife Openings rows to read:

Management Area	Oil and Gas Exploration and Leasing	Oil and Gas Leasing Stipulation	Stipulation Acres
2.B State Parks	Available	NSO	3825
3.J Pastures and Large Wildlife Openings	Available	CSU	7053

Page 2-32, Table 2-6 Management Areas
Change the 2.B State Park the 3.J Pastures and Large Wildlife Openings rows to read:

Management Area Name and Number	Acres
2.B State Parks	3,825
3.J. Pastures and Large Wildlife Openings	7053

Page 2-48, 2.B State Parks

The first line of the emphasis description is changed to read:
This management area is allocated to approximately 3,825 acres across . .

Page 2-76, 3.J Pastures and Large Wildlife Openings

The first line of the emphasis description is changed to read:
This management area is allocated to approximately 7,053 acres across.

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